

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HITLER CALLE,

Plaintiff,

-against-

PIZZA PALACE CAFÉ LLC (d/b/a PIZZA PALACE),
SASHA ISHAQOV, YURI ISHAQOV, and VLADY
DJOURAEV,

Defendants.

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Case No.: 1:20-cv-4178 (LDH) (LB)

**DECLARATION OF ALEXANDER
ISHAKOV IN SUPPORT OF HIS
MOTION PURSUANT TO FED. R.
CIV. P. 55 AND 60 TO VACATE
DEFAULT JUDGMENT**

Alexander Ishakov declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct:

1. I am a Defendant in this case, incorrectly sued herein as “Sasha Ishaqov.”
2. As such, I am familiar with all the facts and circumstances heretofore had herein based upon my personal knowledge and a review of documents received from J.P. Morgan Chase Bank, N.A. (“Chase Bank”) and other documents filed in this case that my attorney showed me.
3. I make this declaration in support of my motion to vacate the default judgment against me in this case.
4. The above-entitled case is a wage-and-hour matter improperly brought against me as I never hired, fired, set the wages nor the schedule of the Plaintiff or any other employees.
5. I have no and never had any membership interest in Pizza Palace Café LLC.
6. I was the sole shareholder of Pizza, Bagels & Sushi Cafe Corp (the “Company”), which purchased the assets of Pizza Palace Café LLC in or about approximately June 2017 through approximately April 2021 when I sold this business.
7. Up until Saturday, November 11, 2023, I was completely unaware of this case.

8. I first learned about it when my wife, Tatiana Ishakov (“Mrs. Ishakov”), informed me that there was little to no money in our joint bank account.

9. My wife and I called Chase Bank to find out what happened.

10. They informed us it was a legal matter and referred us to Chase Bank’s Legal Department.

11. Upon calling Chase Bank’s Legal Department, we were advised that there was a restraining notice issued against us for this case.

12. Yesterday, on November 18, 2023, my wife and I received identical packages from Chase Bank.

13. We presented this to our attorney today and he showed us the caption of this case referenced in the accompanying “Information Subpoena with Restraining Notice to Garnishee” (hereinafter the “Restraining Notice”).

14. I was able to review the docket in this case with my attorney and saw that this case was first filed in September 2020, and was served upon “Yuri Doe” and/or “John Doe” – each time, an individual is indicated to have worn glasses – at 6360 108th Street, Queens, NY 11375.

15. This address is the business location of the Company, which I was only present in for about fifteen to twenty minutes one or two days a week.

16. I am not aware of any individual that was authorized to accept service on my behalf that wore glasses at the Company.

17. No such individual ever apprised me of the instant case or provided me with any papers purportedly served on this individual with glasses.

18. I never received notice of this lawsuit as stated in the affidavits of service in the docket in this case.

19. The monies in the joint bank account consist entirely of my wife's (Mrs. Ishakova's) wages, which we use for our household expenses, and which I understand are exempt from judgment enforcement efforts.

20. I have not been employed since selling the Company, which suffered drastically due to COVID shutdown orders, from which I was never able to recover.

21. This judgment was improperly obtained against me.

22. The judgment enforcement efforts that were improperly taken against me have harmed my wife, Mrs. Ishakova, who never had any membership interest in Pizza Palace Café LLC nor the Company, and should not suffer due to the Plaintiff's failures to properly serve me.

23. I respectfully request that this Court grant the relief requested herein.

I declare under penalty of perjury that the foregoing is true and correct. Executed on November 19, 2023.

A handwritten signature in black ink, appearing to be 'Alexander Ishakov', written over a horizontal line.

Alexander Ishakov